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October 11, 2019

VIA ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Colon v. N.Y.C. Hous. Auth. et al.,
16 Civ. 4540 (VSB) (OTW)

Williams v. N.Y.C. Hous. Auth. et al.,
16 Civ. 8193 (VSB) (OTW)

Dear Judge Broderick:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, counsel for Defendant Melissa Mark-Viverito in the above-referenced actions, which were consolidated for pre-trial purposes.

In accordance with the Court's October 6, 2019 Order (*see* Dkt. No. 110), I write on behalf of Defendant Mark-Viverito and the NYCHA Defendants (collectively, "Defendants") to respectfully propose that Plaintiffs' cross-motions for summary judgment follow the same so-ordered briefing schedule as Defendants' motions for summary judgment. Accordingly, Defendants' summary judgment motions and Plaintiffs' cross-motions would be filed by January 17, 2020, responses would be filed by March 20, 2020, and replies would be filed by April 17, 2020. *See* Dkt. No. 109. Plaintiffs previously submitted a proposed briefing schedule for their summary judgment cross-motions on September 30, 2019 without first consulting Defendants. *See* Dkt. No. 105.

Over the past two days, Defendants' counsel have unsuccessfully attempted to meet and confer with Plaintiffs' counsel regarding a joint proposed briefing schedule for Plaintiffs' cross-motions. Plaintiffs' counsel rejected Defendants' proposal that the parties use the same so-ordered briefing schedule for all motions – with no explanation for this rejection. The NYCHA Defendants' counsel and I explained that our offices are closed on Monday for Columbus Day and requested that Plaintiffs' counsel provide his portion of a joint letter by 3:00 p.m. this afternoon. Plaintiffs' counsel refused.

HONORABLE VERNON S. BRODERICK

United States District Judge

Colon v. N.Y.C. Hous. Auth., et al., 16 Civ. 4540 (VSB)(OTW)

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Defendants thank the Court for consideration of this request.

Respectfully submitted,

/s/Natalie S. Marcus

Natalie S. Marcus
Assistant Corporation Counsel

cc: All Counsel of Record
(via ECF)